

resumption,” and “[i]n such event, the parties are ORDERED to submit a joint status report within seven days of the Defendants’ notification.” *Id.* at 2.

3. Separate from this case, two lawsuits were recently filed in the United States District Court for the District of Columbia, seeking to challenge the United States’ pause on foreign assistance. *See AIDS Vaccine Advocacy Coalition v. Dep’t of State*, No. 1:25-cv-400 (D.D.C. filed Feb. 10, 2025); *Global Health Council v. Trump*, No. 1:25-cv-402 (D.D.C. filed Feb. 11, 2025). The plaintiffs in both cases moved for temporary restraining orders against the pause on foreign assistance. *See AIDS Vaccine Advocacy Coalition*, ECF No. 13 (filed Feb. 12, 2024); *Global Health Council*, ECF No. 4 (filed Feb. 11, 2024). In both cases, Defendants opposed entry of any relief but have not yet been able to file written oppositions to the motions seeking emergency relief.

4. On February 13, 2024, the Court hearing both cases granted in part the plaintiffs’ motions for a temporary restraining order. *See AIDS Vaccine Advocacy Coalition*, ECF No. 17; *Global Health Council*, ECF No. 21. The Court in those cases ordered, among other things, that the defendants are enjoined from “suspending, pausing, or otherwise preventing the obligation or disbursement of appropriated foreign-assistance funds in connection with any contracts, grants, cooperative agreements, loans, or other federal foreign assistance award that was in existence as of January 19, 2025[.]” *Id.* at 14. The Court further directed that the defendants “shall file a status report by February 18, 2025, apprising the Court of the status of their compliance with this order[.]” *Id.* at 15.

5. In this case, undersigned counsel for Defendants are continuing to confer with their clients regarding the possible effect of the Court’s order in *AIDS Vaccine Advocacy Coalition* and *Global Health Council* on the challenged ESF at issue here. Because ESF assistance to West Bank and Gaza “was in existence as of January 19, 2025,” however, Defendants’ current understanding is that such ESF to West Bank and Gaza may be encompassed within the Court’s temporary restraining order entered in *AIDS Vaccine Advocacy Coalition* and *Global Health Council*. For a fuller understanding of the

scope of that Court's order, Defendants respectfully refer this Court to the status report that is due to be submitted in those cases also on February 18, 2025.

6. As the above reflects, Defendants in this case have not voluntarily elected to resume ESF contributions to West Bank and Gaza. Indeed, Defendants intend to vigorously oppose the relief requested in *AIDS Vaccine Advocacy Coalition* and *Global Health Council*. Nonetheless, because of the temporary restraining order entered in *AIDS Vaccine Advocacy Coalition* and *Global Health Council*—and because that order was entered on February 13, 2025—Defendants hereby respectfully submit this Notice, to ensure that they provide Plaintiffs and the Court with the required five-day notice of any resumption of ESF to West Bank and Gaza. *See* ECF No. 87 at 2.

7. Consistent with this Court's directive that the parties in this case "submit a joint status report within seven days of the Defendants' notification," *id.*, Defendants will confer with counsel for Plaintiffs regarding any need for further proceedings in this case, including based on Defendants' ongoing efforts to oppose relief in *AIDS Vaccine Advocacy Coalition* and *Global Health Council*.

Dated: February 18, 2025

Respectfully submitted,

BRETT A. SHUMATE
Acting Assistant Attorney General

ALEXANDER K. HAAS
Director

/s/ Daniel Schwei
DANIEL SCHWEI (NY Bar #4901336)
Special Counsel
DOROTHY M. CANEVARI (NY Bar #5989694)
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
Tel.: (202) 305-8693
Email: daniel.s.schwei@usdoj.gov

Counsel for Defendants